

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ROOF REVOLUTION INC a/a/o Mariane
Newton,

Plaintiff,

v.

Case No: 2:21-cv-253-JLB-NPM

ELECTRIC INSURANCE COMPANY,

Defendant.


ORDER

The parties have filed a Joint Motion to Remand to State Court. (Doc. 10.) Defendant originally removed this breach of contract action to federal court based on diversity of citizenship, relying on an invoice purportedly establishing an amount in controversy exceeding \$120,000. (Doc. 1.) Plaintiff's complaint did not, however, account for payments Defendant previously made and the parties now agree that "the value of this case . . . does not exceed the diversity jurisdictional limit of \$75,000." (Doc. 10 ¶ 6.) As such, the parties jointly seek remand.

Accordingly, it is **ORDERED** that:

1. The Joint Motion to Remand to State Court (Doc. 10) is **GRANTED**.
2. Defendant's motion to dismiss (Doc. 2) is **DENIED WITHOUT PREJUDICE as moot** in light of this Order.
3. The Clerk is **DIRECTED** to **REMAND** this case to the Circuit Court of the Twentieth Judicial Circuit, in and for Collier County, Florida, terminate any pending deadlines and motions, and close the file.

ORDERED at Fort Myers, Florida, on May 6, 2021.



JOHN L. BADALAMENTI
UNITED STATES DISTRICT JUDGE